

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sean Solberg on June 25, 2010.

The application has been amended as follows:

Cancel Claims 11-14 and 24-37

39. (Currently Amended) The percutaneous gas line of claim 38, further comprising an end portion defined between the first end of the second gas line and the subcutaneous anchoring collar, wherein the end portion extends from the connection fitting in a substantially coaxial configuration.

44. (New) The percutaneous gas line of claim 38, wherein the medical device comprises a heart assist device.

45. (New) The percutaneous gas line of claim 44, wherein the heart assist device comprises a wrap configured to be disposed around an aorta of the patient.

46. (New) The percutaneous gas line of claim 44, wherein the heart assist device is an inflatable heart assist actuator.

47. (New) The percutaneous gas line of claim 38, wherein the medical device comprises a left ventricular assist device.

48. (New) The percutaneous gas line of claim 38, wherein the connection fitting comprises a Luer-lock gas-tight fitting.

49. (New) The percutaneous gas line of claim 38, further comprising an ECG lead associated with the second gas line.

50. (New) The percutaneous gas line of claim 49, wherein the ECG lead is disposed within the second gas line.

51. (New) The percutaneous gas line of claim 49, wherein the ECG lead is coupled to an exterior portion of the second gas line.

52. (New) The percutaneous gas line of claim 49, wherein the ECG lead comprises a first part configured to be positioned within the patient's body and a second part associated with the second gas line.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: The most relevant art of record (Freed et al. 6,132,363) discloses a cardiovascular support system containing two gas lines. The invention disclosed by Freed contains an external gas line and an internal gas line with a connection fitting between the two components imbedded within a patient's skin. Freed does not disclose a coaxial relationship between the opening of the second gas line and the lumen of the second gas line. The gas lines of Freed have multiple bends adjacent to the connection fitting (See Fig. 4). Freed further does not disclose a wholly implantable connection fitting since part of the connection

fitting is external to the body. Lastly, Freed does not disclose a subcutaneous anchoring collar located on the surface of the second gas line.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GARY A. PORTER, JR whose telephone number is (571)270-5419. The examiner can normally be reached on Monday - Thursday, 7AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Layno can be reached on (571)272-4949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. A. P./
Examiner, Art Unit 3766

/Carl H. Layno/
Supervisory Patent Examiner, Art
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